

# HOUSE BILL REPORT

## ESHB 2752

---

### As Amended by the Senate

**Title:** An act relating to the safety of runaway youth.

**Brief Description:** Modifying provisions relating to providing shelter to a minor.

**Sponsors:** House Committee on Early Learning & Children's Services (originally sponsored by Representatives Dickerson, Orwall, Walsh, Goodman, Kagi, Roberts, Pedersen, Green, Santos and Nelson).

#### **Brief History:**

##### **Committee Activity:**

Early Learning & Children's Services: 1/26/10, 1/29/10 [DPS].

##### **Floor Activity:**

Passed House: 2/16/10, 95-3.

Senate Amended.

Passed Senate: 3/4/10, 45-0.

#### **Brief Summary of Engrossed Substitute Bill**

- Modifies requirements for notice to the Department of Social and Health Services, local law enforcement agencies, and parents when youth are admitted to shelters serving youth who have run away from home or who are homeless.

---

### HOUSE COMMITTEE ON EARLY LEARNING & CHILDREN'S SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Kagi, Chair; Roberts, Vice Chair; Haler, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Angel, Goodman and Seaquist.

**Staff:** Sydney Forrester (786-7120).

#### **Background:**

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Any person providing shelter to a minor who knows the youth is absent from home without parental permission is required to notify the youth's parent, law enforcement, or the Department of Social and Health Services within eight hours of becoming aware that the youth is away from home without permission.

### **Summary of Engrossed Substitute Bill:**

Legislative findings are made regarding the desire to better serve youth by protecting them from dangers of being on the street and the risks of predators seeking to capitalize on the vulnerability of youth; and the desire to notify parents that youth are safe and off the streets even though they may not be ready to begin the conflict resolution process with parents.

Licensed youth shelters must comply with the following notice requirements when providing services to a youth who are homeless or have run away from home:

- Within 8 hours, shelter staff must notify the Department of Social and Health Services (DSHS) or local law enforcement to confirm that the youth is currently safe and off the streets. Shelter staff must not disclose the whereabouts of the youth to law enforcement of the DSHS, unless the youth's parent already has been notified of the information.
- Within 72 hours, and preferably within 24 hours, shelter staff must notify the youth's parent with the whereabouts of the youth, a description of the youth's physical and emotional condition, and the circumstances surrounding the youth's contact with the shelter or organization. If there are compelling reasons not to notify a parent, including but not limited to the potential the child will be subjected to child abuse or neglect, the shelter or organization shall instead provide the information to the DSHS.

Upon receiving notice from a youth shelter regarding a youth seeking shelter, local law enforcement agencies and the DSHS must make a good faith effort to notify the parent and convey that the youth currently is safe and off the streets. The DSHS and law enforcement must not disclose the whereabouts of the youth, if known.

### **EFFECT OF SENATE AMENDMENT(S):**

The Senate amendment makes the following changes to the version of the bill as it passed the House:

1. Removes the requirement that licensed shelter staff contact law enforcement in the jurisdiction where the youth lives within 8 hours of admitting a youth to a licensed shelter, and instead requires shelter staff to consult publically available information from the Washington State Patrol (WSP) at least once every 8 hours after a youth is admitted to a licensed shelter in order to determine if the youth is listed as missing.
2. Requires licensed shelter staff to immediately notify the DSHS upon determining a youth admitted to a shelter is publically listed as missing. The notification to the DSHS must include the same information as was required by the underlying bill to be provided to law enforcement, i.e. a description of the youth's physical and emotional condition and the circumstances surrounding the youth's contact with the shelter.

3. Establishes an expiration date of July 1, 2012, for the provisions allowing licensed shelter staff up to 72 hours to contact a parent ; declaring a preference for notifying a parent within 24 hours; and requiring shelter staff to regularly check WSP missing persons information and report to the DSHS when a child admitted to a shelter is listed as missing.
4. Creates a private right of action against an unlicensed youth shelter or an unlicensed homeless youth program that fails to comply with the requirement to notify a youth's parent within 8 hours upon admitting a youth to such a shelter or program.

So long as no additional cost is incurred, requires the WSP to make information about a runaway youth publically available upon the request of the youth's parent or legal guardian or custodian.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Allowing staff in youth shelters more time to notify a parent is consistent with federal requirements. This bill is intended to increase safety for children. The Becca Bill has done a lot of good, but the eight-hour notification provision needs a little adjustment. We need to support our outreach workers and our counselors who are trying to reengage youth and bring them back to their families and community.

It often takes shelter staff more than eight hours to stabilize a youth and gain their trust to begin addressing the family conflict. Youth who have run away from home often don't go to a shelter because they are fearful their parents will be notified right away, and when these youth stay on the streets they become vulnerable to predators who are willing to provide shelter and food, but who ignore the reporting law. By allowing shelter staff more time to meet the youth's immediate needs for food, shelter, and rest, staff can develop a rapport and begin working with the youth to gain their cooperation in contacting parents and to begin the process of facilitating communication between the youth and the parent. Shelter staff routinely encourage youth to call parents and at least notify them they are safe.

Research in child prostitution reflects that runaway youth who remain on the street rather than going to a shelter are more likely to be victimized and eventually entrenched into the world of child prostitution. This is really about trying to address the competition between shelter staff, who want to assist the youth and the family, and predators on the street who are using the eight-hour notification requirement to convince youth to stay away from the shelter so that the predator can start the grooming process.

(Opposed) None.

**Persons Testifying:** Representative Dickerson, prime sponsor; Jaclyn Mellon, Peace for the Streets by Kids from the Streets; Katie Meyer, Street Youth Legal Advocates of Washington; Jim Theofelis, Mockingbird Society; Diane Jordan and Liza Burell, YouthCare; and Charles Shelan, Community Youth Services.

**Persons Signed In To Testify But Not Testifying:** None.